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CONTEMPORARY FORMS OF SLAVERY

Report of the Secretary-General on the implementation of the Programme of Action for the Elimination of the Exploitation of Child Labour, submitted pursuant to Sub-Commission resolution 1997/22

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Introduction

1. The Commission on Human Rights, in adopting the Programme of Action for the Elimination of the Exploitation of Child Labour (resolution 1993/79, annex), recommended that all States should adopt, as a matter of priority, the necessary legislative and administrative measures to implement the Programme of Action at the national and international levels, and requested the Sub-Commission to submit to it every two years a progress report on the implementation of the Programme of Action by all States.

2. In its resolution 1999/17 (para. 43), the Sub-Commission requested the Secretary-General to invite States to inform the Working Group on Contemporary Forms of Slavery of measures adopted to implement the Programme of Action and to submit a report thereon to the Sub-Commission at its fifty-second session.

3. In order that the Working Group might examine this matter at its twenty-fifth session, the Secretary-General, on 7 February 2000, sent notes verbales to Governments requesting the desired information. As of 23 May 2000, replies had been received from Kuwait and Mexico.

REPLIES RECEIVED FROM GOVERNMENTS

Kuwait

[Original: Arabic]
[15 May 2000]

With regard to the exploitation of children in prostitution and the slave trade, it is noteworthy that Kuwaiti law accords children protection from these inhuman practices since it prohibits the abduction and sequestration of persons and the exploitation of children for purposes of prostitution. Severe penalties are prescribed for persons who commit offences against children or minors, particularly if the offender is an ascendant of the victim, a person entrusted with the latter's upbringing or care or a person vested with authority over the victim, as stipulated in articles 178-183 of the Kuwaiti Penal Code.

The State of Kuwait, being eager to contribute to the endeavours that the international community is making to combat and finally eliminate the phenomenon of slavery, has, inter alia, acceded to the following international conventions which address that phenomenon either directly or indirectly:

1. The Slavery Convention of 1926.
2. The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956.
3. The Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949.
4. The Convention on the Rights of the Child of 1989.
5. The International Covenant on Civil and Political Rights of 1966.
6. The International Covenant on Economic, Social and Cultural Rights of 1966.

Following Kuwait's accession thereto, these conventions became part of the laws enforceable in its territory.

Mexico

[Original: Spanish]
[14 April 2000]

Child workers

Census of child and teenage workers in 100 towns and cities

1. The National System for the Integral Development of the Family (DIF), together with the United Nations Children's Fund (UNICEF) and the United Nations International Drug Control

Programme's regional office for Mexico and Central America, made a study of child and teenage workers in 100 Mexican towns and cities. The results of the study were officially published in June 1999.

2. As a result of the study, it will be possible to formulate a policy aimed at eliminating child labour, in the case of both girls and boys. It should be stressed that work is currently being carried out on a comprehensive programme.

Care Programme for Child Workers in the Informal Sector

3. DIF also has the Care Programme for Child Workers in the Informal Sector, which is intended to prevent children from engaging in labour activities that might affect their physical, psychological or social well-being, in order to ensure their rights are observed, and to take care of child workers by their integration in the formal and informal educational system, in order to help eliminate child labour. The beneficiaries of this programme are children aged between 6 and 18 working in the informal sector, in the streets or in open or closed public areas, and their families.

4. The broad lines of action of this programme are:

- To promote greater self-management in the family and community;
- To encourage children to remain in school;
- To inform the community about the causes and consequences of child labour;
- To encourage the establishment of foundations and trusts for children and their families and to set up a coordinating committee to bring together and organize action by public and private bodies;
- To provide better protection for the child and the community;
- To give community child-welfare officers the professional tools necessary for the functioning of the programme.

5. The programme is being used to promote a basic package of services consisting of support in the areas of education, health, food, training and legal assistance.

6. The programme is caring for 48,487 children in 604 municipalities in the 31 DIF State systems. It has 44 day centres established in 12 federative institutions, and 15 foundations and 4 trusts in 9 States.

7. A total of 4,476 education grants and 625 training grants are distributed through the 31 State systems. The objectives of the programme are:

- To draw up a national policy which will contribute to a reduction in child labour by promoting equal opportunities and the observance of the most basic rights of children,
- To operate the programme in the major cities,
- To reduce child labour,
- To prepare and coordinate DIF actions and programmes,
- To push for changes in the legislation governing child labour; and
- To prepare an analysis of the problem of child prostitution, which is one of the extreme forms of child labour.

Proposed plan of action for the discouragement and eradication of child labour in Mexico

8. The International Labour Organization (ILO) recently adopted as one of its major policies the establishment of new standards for the elimination of extreme forms of child labour. This coincided with other international initiatives, such as those proposed at the meetings in Cartagena of the Wives of Latin American Heads of State and the Global March against Child Labour. These are the guidelines which, in December 1998, the Mexican Government took into account in preparing a National Plan of Action for the Discouragement and Eradication of Child Labour.

9. Because of the extent and complexity of the phenomenon, the Plan includes activities which will be carried out under long-term policies incorporating specific short and medium-term activities, particularly in those areas where the greatest risks exist.

10. The aim is to construct a child labour policy based on ethical principles which protect the socially recognized rights of boys and girls. The policy should reaffirm the prohibition of work by children under the age of 14, should protect the employment of children between the ages of 14 and 16, and limit work by 16 to 18-year-olds. All this should be done in the light of the requirements of the Mexican Constitution.

11. The Plan envisages four courses of action:

- Discouragement of work by new children under the legal age;
- Disengagement of children from various kinds of work;
- Regulation, protection and supervision of child labour;
- Institution of legal proceedings to combat intolerable forms of child labour.

12. Activities will also have to include an information and awareness campaign, directed at all sectors of society, relating to the risks and consequences inherent in any early work by boys and girls, especially work not covered by existing legal provisions.

13. An information campaign must also be aimed at parents, businessmen, producers and officials in the labour department of the judicial system.

14. This Plan was devised by the National System for the Integral Development of the Family, the Ministry of Labour and Social Welfare, the Ministry of Social Development, the Ministry of Education, the Mexican Social Security Institute and the Office of the Attorney-General of the Republic, together with private-sector institutions, chambers of commerce and trade unions.

15. It should be pointed out that on 17 June 1999 the Government of Mexico endorsed, within the ILO framework, the Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999. The Mexican Senate endorsed the Convention on 16 March 2000.